

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

SENATE MEMORIAL 33

49TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2010

INTRODUCED BY

Bernadette M. Sanchez

A MEMORIAL

REQUESTING THE ROBERT WOOD JOHNSON FOUNDATION TO CREATE THE
DRUG POLICY TASK FORCE TO EVALUATE NEW MEXICO'S CURRENT
APPROACHES TO DRUG POLICY THROUGH THE USE OF LAW ENFORCEMENT,
TREATMENT, PREVENTION AND HARM REDUCTION AND TO DEVELOP
STRATEGIES FOR EFFECTIVE CHANGE.

WHEREAS, New Mexico has long been concerned about
substance abuse and its impact on the people of New Mexico; and

WHEREAS, addiction is a chronic medical illness that is
treatable, and drug treatment success rates exceed those of
many cancer therapies; and

WHEREAS, according to a recent report issued by the
federal substance abuse and mental health services
administration, an estimated fifty-five thousand New Mexicans
need but are not receiving treatment for an illicit drug use

underscored material = new
~~[bracketed material] = delete~~

underscoring material = new
[bracketed material] = delete

1 problem and another one hundred twenty-four thousand need
2 treatment for alcohol abuse; and

3 WHEREAS, according to the Pew research center, more than
4 one out of every one hundred Americans is incarcerated, and a
5 recent United States department of justice report states that
6 an estimated five hundred thousand people are incarcerated for
7 a drug law violation nationally; and

8 WHEREAS, at the end of 2007, more than seven million three
9 hundred thousand Americans, which is approximately one in every
10 thirty-one adults, were incarcerated or on probation or parole,
11 and roughly one-third of these were under correctional
12 supervision for a drug law violation; and

13 WHEREAS, the average cost of substance abuse treatment in
14 New Mexico is one thousand two hundred ninety-five dollars
15 (\$1,295) per person per year, and the cost of incarcerating one
16 person in either jail or prison averages twenty-seven thousand
17 eight hundred thirty-seven dollars (\$27,837) per year; and

18 WHEREAS, New Mexico spent approximately twenty-two million
19 dollars (\$22,000,000) to incarcerate nonviolent drug possession
20 offenders in 2007; and

21 WHEREAS, of the approximately five thousand six hundred
22 people in New Mexico's state prison system in 2002,
23 approximately eighty-seven percent were assessed as needing
24 substance abuse services and seventy percent as substance
25 abusing or dependent; and

.180622.3

underscored material = new
[bracketed material] = delete

1 WHEREAS, according to a study by the RAND corporation,
2 every one dollar (\$1.00) invested in substance abuse treatment
3 results in a savings to taxpayers of more than seven dollars
4 (\$7.00) through reduced societal costs of crime, violence and
5 loss of productivity; and

6 WHEREAS, the national treatment improvement evaluation
7 study shows substantial reductions in criminal behavior, with a
8 sixty-four percent decrease in all arrests after treatment,
9 making public safety a primary beneficiary of effective drug
10 treatment programs; and

11 WHEREAS, federal, state and local costs of the war on
12 drugs exceed forty billion dollars (\$40,000,000,000) annually,
13 yet drugs are still widely available in every community, drug
14 use and demand have not decreased and most drug prices have
15 fallen while purity levels have increased dramatically; and

16 WHEREAS, according to the office of national drug control
17 policy, only thirty-five percent of the federal drug control
18 budget is spent on education, prevention and treatment
19 combined, with the remaining sixty-five percent devoted to law
20 enforcement efforts; and

21 WHEREAS, cities and states across the country have
22 experienced a rise in violent crime and must prioritize scarce
23 law enforcement resources; and

24 WHEREAS, many New Mexico teachers, prevention specialists
25 and school districts are using effective and science-based drug

.180622.3

underscoring material = new
[bracketed material] = delete

1 prevention strategies that focus on building resiliency and
2 honest communication with young people about drug use; and

3 WHEREAS, over one-third of all HIV/AIDS cases and nearly
4 two-thirds of all new cases of hepatitis C in the United States
5 are linked to injection drug use with contaminated syringes,
6 now the single largest factor in the spread of HIV/AIDS in the
7 country; and

8 WHEREAS, African Americans, Latinos and other minorities
9 use drugs at rates comparable to Caucasians, yet non-Caucasians
10 face disproportionate rates of arrest and incarceration for
11 drug law violations among persons convicted of drug felonies in
12 state courts; and

13 WHEREAS, according to the corrections department, one in
14 ninety Hispanic men aged eighteen or older, one in thirty-one
15 African American men aged eighteen or older and one in twenty-
16 five African American men aged twenty to thirty-four are
17 currently incarcerated in New Mexico; and

18 WHEREAS, the drastic change in sentencing laws in the last
19 quarter century has led to a seven hundred percent increase in
20 the incarceration of women, with drug law violations accounting
21 for one-third of the increase; and

22 WHEREAS, in order to promote the successful reentry into
23 society of people leaving prison or jail, New Mexico must
24 provide them with job training, transitional housing, family
25 reunification services, behavioral health treatment and the

.180622.3

underscored material = new
[bracketed material] = delete

1 restoration of voting rights; and

2 WHEREAS, New Mexico continues to be a national leader in
3 effective, public health-based drug policies, as demonstrated
4 by its 1997 enactment of the Harm Reduction Act, which created
5 statewide syringe exchange programs, and the department of
6 health's 2001 overdose prevention and response initiative; and

7 WHEREAS, the use of a four pillar approach to drug policy,
8 incorporating law enforcement, treatment, prevention and harm
9 reduction, can save both lives and money in New Mexico;

10 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE
11 OF NEW MEXICO that the Robert Wood Johnson foundation center
12 for health policy be requested to create a drug policy task
13 force to evaluate New Mexico's approach to alleviating the
14 negative consequences associated with the use of alcohol and
15 other drugs; and

16 BE IT FURTHER RESOLVED that the drug policy task force
17 utilize a four pillar approach to examine prevention,
18 treatment, harm reduction and enforcement and develop
19 strategies for effective change in New Mexico's drug policy;
20 and

21 BE IT FURTHER RESOLVED that the drug policy task force
22 include representation from the office of the governor, the
23 office of the lieutenant governor, the corrections department,
24 the department of health, the children, youth and families
25 department, the human services department, the public education

.180622.3

underscoring material = new
[bracketed material] = delete

1 department, the legislative finance committee, the DWI grant
2 council, the aging and long-term services department, county
3 detention facilities, the administrative office of the courts,
4 the department of public safety, the interagency behavioral
5 health purchasing collaborative, the behavioral health planning
6 council, the university of New Mexico, the New Mexico
7 association of counties, the drug policy alliance, the New
8 Mexico women's justice project, two individuals with criminal
9 drug convictions and two individuals in recovery from substance
10 abuse; and

11 BE IT FURTHER RESOLVED that the drug policy task force be
12 chaired by a representative from the Robert Wood Johnson
13 foundation center for health policy and that it meet at the
14 call of the chair at least three times before October 15, 2010;
15 and

16 BE IT FURTHER RESOLVED that the drug policy task force
17 write a comprehensive statewide strategic plan based on the
18 four pillar approach and report and present its findings to the
19 interim legislative health and human services committee, the
20 interim legislative courts, corrections and justice committee
21 and the legislative finance committee by November 2010; and

22 BE IT FURTHER RESOLVED that the strategic plan include a
23 section on current approaches to drug policy, including the
24 number and geography of people impacted, local and statewide
25 assessments of services and needs, a detailed list of

.180622.3

underscoring material = new
[bracketed material] = delete

1 expenditures in prevention, treatment, harm reduction and
2 enforcement and an assessment of the effectiveness of the
3 current programs; a section on prevention recommendations; and
4 a section on treatment recommendations; and

5 BE IT FURTHER RESOLVED that the task force develop a list
6 of evaluation measures to include the impact of drug abuse on
7 youth, rates of drug overdose fatalities, rates of HIV/AIDS and
8 hepatitis, access to treatment, the number of incarcerated
9 nonviolent drug law offenders, access to alternatives to
10 incarceration and racial disparities exacerbated by the
11 criminal justice system; and

12 BE IT FURTHER RESOLVED that the strategic plan place
13 special emphasis on the sections on prevention and treatment
14 and establish short- and long-term recommendations to reduce
15 the impact of drug use and drug policies on the people of New
16 Mexico by utilizing cost-effective initiatives; and

17 BE IT FURTHER RESOLVED that the written report include
18 objectives to address drug overdose fatalities, HIV/AIDS and
19 hepatitis, access to treatment, the number of incarcerated
20 nonviolent drug law offenders, alternatives to incarceration
21 and racial disparities exacerbated by the criminal justice
22 system; and

23 BE IT FURTHER RESOLVED that copies of this memorial be
24 transmitted to the director of the Robert Wood Johnson
25 foundation center for health policy and to each of the agencies

.180622.3

underscored material = new
[bracketed material] = delete

1 or organizations named to participate in the task force.

2 - 8 -

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

.180622.3